Performance Outcome 2. 18.

Apply knowledge of the law relating to a weapons/firearm offenses.

Training Objectives Relating to 2. 18.

A. Given a written exercise, identify the elements and crime classifications relating to weapons/firearms offenses.

Criteria: The trainee shall be tested on the following:

- 2.18.1. Define weapons/firearms offenses and elements of the crimes.
 - 2.18.1.1. Concealed weapons
 - 2.18.1.2. Sawed-off shotguns
 - 2.18.1.3. Possession of firearm by convicted felon
 - 2.18.1.4. Possession of firearm coincident with Schedule I or II drug offense
 - 2.18.1.5. Possession of firearm during commission of a felony
 - 2.18.1.6. Possession of a firearm while under a protective order

- 1. Define weapons/firearms offenses and elements of the crimes with Code citations,
 - a. Concealed weapons, §18.2-308
 - b. Sawed-off shotguns, §18.2-299 to 18.2-307
 - c. Possession of firearm by convicted felon, §18.2-308.2; (18 USC 921)(a)(30)
 - d. Possession of firearm coincident with Schedule I or II drug offense, §8.2-308.4
 - e. Possession of firearm during commission of a felony, §18.2-53.1
 - f. Possession of a firearm while under a protective order, §18.2-308.1:4

Performance Outcome 2. 19.

Apply knowledge of the law relating to prostitution and sex offenses.

Training Objectives Relating to 2. 19.

A. Given a written exercise, identify the elements of and crime classifications relating to prostitution and other sex offenses.

Criteria: The trainee shall be tested on the following:

- 2.19.1. Define sex offenses and elements of the crimes.
 - 2.19.1.1. Fornication
 - 2.19.1.2. Lewd and lascivious cohabitation
 - 2.19.1.3. Keeping, residing in or frequenting a bawdy place
 - 2.19.1.4. Aiding prostitution or illicit sexual intercourse
 - 2.19.1.5. Using vehicles to promote prostitution or unlawful sexual intercourse
 - 2.19.1.6. Receiving money for procuring person
 - 2.19.1.7. Receiving money from earnings of male or female prostitute
 - 2.19.1.8. Transporting person for purpose of a sex offense
 - 2.19.1.9. Crimes against nature

- 1. Define sex offenses and elements of the crimes.
 - a. Fornication, §18.2-344
 - b. Lewd and lascivious cohabitation, §18.2-345
 - c. Keeping, residing in or frequenting a bawdy place, §18.2-347
 - d. Aiding prostitution or illicit sexual intercourse, §18.2-346 -- §18.2-348
 - e. Using vehicles to promote prostitution or unlawful sexual intercourse, §18.2-349
 - f. Receiving money for procuring person, §18.2-356
 - g. Receiving money from earnings of male or female prostitute, §18.2-357
 - h. Transporting person for purpose of a sex offense, §18.2-348
 - i. Crimes against nature, §18.2-361

Performance Outcome 2. 37.

Identify the circumstances under which a suspect is fingerprinted.

Training Objectives Relating to 2. 37.

Given a written exercise:

- A. Identify the circumstances under which a suspect shall be fingerprinted.
- B. Identify requirements related to fingerprinting juveniles.

Criteria: The trainee shall be tested on the following:

- 2.37.1. The circumstances under which a suspect should be fingerprinted
 - 2.37.1.1. Charged with a felony
 - 2.37.1.2. Charged with a class I or class II misdemeanor
 - 2.37.1.3. Convicted of the above
- 2.37.2. The statutory requirements related to fingerprinting juveniles
 - 2.37.2.1. Age
 - 2.37.2.2. Type of crime
 - 2.37.2.3. Suspect in certain types of crimes
 - 2.37.2.4. Maintain juvenile fingerprint records separately from adult records
 - 2.37.2.5. Destruction of juvenile fingerprint records

- 1. The circumstances under which a suspect shall be fingerprinted (§19.2 390)
 - a. Charged with a felony
 - b. Charged with a class I or class II misdemeanor
 - c. Convicted of a class I or class II misdemeanor (§19.2-390.2; §19.2-74)
 - d. Effective January 1, 2006, a photograph of the arrestee must accompany fingerprints submitted to the Central Criminal Records Exchange.
- 2. The requirements related to fingerprinting juveniles §16.1-299
 - a. Age
 - b. Type of crime
 - c. Suspect in certain types of crimes
 - d. Maintain juvenile fingerprint records separately from adult records

Performance Outcome 4. 1.

Conduct photographic line-up to identify arrestee/suspects.

Training Objective Related to 4.1.

A. Given a written exercise, list factors to consider when doing a photographic lineup.

Criteria: The trainee will be tested on the following:

- 4.1.1. Same sex
- 4.1.2. Similar size, build, color, race, ethnic background
- 4.1.3. Similar background in photo
- 4.1.4. Using the number of photos specified in the reference "Eyewitness Evidence, A Guide for Law Enforcement" published by the U.S. Dept. of Justice, present each photo individually in a sequential manner. Use either black/white photos for all or color photos for all.
- 4.1.5. Descriptors that victim or witnesses provide (instructor to provide for class)
- 4.1.6. Do not use photos that reflect bias toward one person, i.e. mug shots for some and not all.

A. Photographic line-up factors:

- 1. Same sex
- 2. Similar size, build, color, race, ethnic background
- 3. Similar background in photo
- 4. Using the number of photos specified in the Reference "Eyewitness Evidence, A Guide for Law Enforcement" published by the U.S. Dept. of Justice, present each photo individually in a sequential manner. Use either black/white photos for all or color photos for all.
- 5. Descriptors that victim or witnesses provide (instructor to provide for class)
- 6. Do not use photos that reflect bias toward one person, i.e. mug shots for some and not all.

B. Approaches for using photo identification

- 1. Prepare a group of photographs for the witness to review
- 2. Present each photograph individually to the witness

Instructor Note: Advise trainees that they will be expected to demonstrate a photographic line-up using the above factors correctly during department training. *Reference "Eyewitness Evidence, A Guide for Law Enforcement" published by the U.S. Dept. of Justice.

Performance Outcome 4. 13.

Respond to and conduct a preliminary, follow-up or continuing investigation (when assigned) of family disturbances, family offenses, or family abuse.

Training Objective Related to 4. 13.

- A. Given a written exercise, define the following:
 - 1. Family disturbances
 - 2. Family offenses
 - 3. Family abuse
 - 4. Family or household member
- B. Given a written exercise, define the meaning of the following legal papers:
 - 1. Emergency Protective Order
 - 2. Preliminary Protective Order
 - 3. Permanent Protective Order
- C. Given a written exercise, identify the correct procedures for service of the following legal papers:
 - 1. Emergency Protective Order (including telephonic order)
 - 2. Preliminary Protective Order
 - 3. Permanent Protective Order
- D. Given a practical exercise, respond to and conduct a preliminary, follow-up, or continuing investigation of family disturbances, family offenses, or family abuse.

Criteria: The trainee shall be tested on the following:

- 4.13.1. Definition of the following:
 - 4.13.1.1. Family disturbances
 - 4.13.1.2. Family offenses
 - 4.13.1.3. Family abuse
 - 4.13.1.4. Family or household member
- 4.13.2. Definition of the following legal papers:
 - 4.13.2.1. Emergency Protective Order
 - 4.13.2.2. Preliminary Protective Order
 - 4.12.2.3. Permanent Protective Order
- 4.13.3. Identification of the correct procedures for service of the following:
 - 4.13.3.1. Emergency Protective Order (including telephonic order)
 - 4.13.3.2. Preliminary Protective Order
 - 4.13.3.3. Permanent Protective Order
- 4.13.4. The appropriate law enforcement response to these calls:
 - a. Evaluate the scene
 - b. Provide aid and assistance as may be needed, including officer's responsibility for making arrangements for transporting victim

- c. Interview victim (determining willingness to cooperate with investigation if adult, however, other evidence may be used if victim is unwilling), witness(es) (if any), and suspect(s) (if and/or when identified)
- d. Identify, record, collect and/or preserve physical evidence
- e. Determine the offense, the primary aggressor, and appropriate charges
- f. Arrest the predominant physical aggressor.
- g. Make referrals for help services, i.e., Child Protective Services, social services, rape counseling, domestic violence shelters, etc.
- h. Get warrant for the arrest; petition for an emergency protective order for the victim; if issued serve the emergency protective order then take to the communications center and take appropriate steps to have entered into VCIN.
- i. Record findings on standard report forms to assist investigation in determining what, if any, crime has occurred

- 1. Definition of the following terms:
 - a. Family disturbances
 - b. Family offenses
 - c. Family abuse
 - d. Family or household member
- 2. The appropriate law enforcement response to these calls:
 - a. Evaluate the scene
 - b. Provide aid and assistance as may be needed (include officer's responsibility for making arrangements for transporting victim)
 - c. Interview victim (determine willingness to cooperate with investigation; if adult, however, other evidence may be used if victim is unwilling); witness(es) (if any); suspect(s) (if and/or when identified)
 - d. Identify, record, collect and/or preserve physical evidence
 - e. Determine the offense, the primary aggressor, and appropriate charges
 - f. If probable cause exists, petition for an emergency protective order (by telephone if necessary)
 - g. Arrest the predominant physical aggressor and take before a magistrate (1). Identify "Special Circumstances" for <u>not</u> making an arrest
 - h. Get warrant for the arrest; petition for an emergency protective order for the victim; if issued serve the emergency protective order then take to the communications center and take appropriate steps to have entered into VCIN.
 - i. Research all records for past reported case history (may ask for this en route)
 - j. Make referrals for help services, i.e., Child Protective Services, social services, rape counseling, domestic violence shelters, etc.
 - k. Subpoena medical records if needed
 - m. Record findings on standard report forms to assist investigation in determining what, if any, crime has occurred
- 3. Define the meaning of the following legal papers:
 - a. Emergency Protective Order
 - b. Preliminary Protective Order
 - c. Permanent Protective Order
- 4. Identify the correct procedures for service of the following legal papers:
 - a. Emergency Protective Order (including telephonic order)
 - b. Preliminary Protective Order
 - c. Permanent Protective Order
- 5. Identify circumstances to make a custodial arrest in lieu of a summons.
 - a. Court order exists
 - b. Continuing threat of violence

Instructor Note: Advise trainees that they will need to identify department policy related to family abuse issues as part of department training:

- a. Special Circumstances for <u>not</u> making an arrest
- b. Officer's responsibility for making arrangements for transporting victim

Performance Outcome 4. 21.

Identify and document signs of gang activity.

Training Objective Related to 4.21.

A. Given a written, audio-visual, or practical exercise, identify/document signs of gang activity.

Criteria: The trainee shall be tested on the following:

- 4.21.1. Common characteristics of youth gangs including but not limited to:
 - a. Initiation practices
 - b. Hand signals
 - c. Structured style of dress (colors, clothing type, headgear, etc.)
 - d. Markings, tattoos
 - e. Specific geographic territorial claim or identifiable leadership
 - f. Association with three or more individuals, one of whom is a juvenile, who identify themselves as a group by name or symbol and are involved in a pattern of recurrent felonious criminal conduct
 - (1). Includes certain drug sales, distribution, transportation, possession and manufacturing crimes
 - (2). Includes recruitment of juveniles into a street gang.
- 4.21.2. Define unlawful hazing of youth gang members.
 - 4.21.2.1.Causing bodily injury by hazing of youth gang members or person seeking to become a gang member unlawful;
 - 4.21.2.2. Recklessly or intentionally endanger the health or safety of a person to inflict bodily injury on a person in connection with or for the purpose of initiation, admission into or affiliation with or as a condition of continued membership in a youth gang or criminal street gang.
- 4.21.3. Information to record in VCIN for statutory reporting requirements.

- 1. Common characteristics of youth gangs including but not limited to:
 - a. Initiation practices
 - b. Hand signals
 - c. Structured style of dress (colors, clothing type, headgear, etc.)
 - d. Markings, tattoos
 - e. Specific geographic territorial claim or identifiable leadership
 - f. Association with three or more individuals, one of whom is a juvenile, who identify themselves as a group by name or symbol and are involved in a pattern of recurrent felonious criminal conduct
 - (1). Includes certain drug sales, distribution, transportation, possession and manufacturing crimes
 - (2). Includes recruitment of juveniles into a street gang.
- 2. Define unlawful hazing of youth gang members.
 - a. Causing bodily injury by hazing of youth gang members or person seeking to become a gang member unlawful;
 - b. Recklessly or intentionally endanger the health or safety of a person to inflict bodily injury on a person in connection with or for the purpose of initiation, admission into or affiliation with or as a condition of continued membership in a youth gang or criminal street gang
- 3. Information to record in VCIN for statutory reporting requirements. (§52-8.6 and 18.2-46.1)

Performance Outcome 4. 38.

Respond to calls for service related to disasters and various rescue operations.

Training Objectives Related to 4. 38.

- A. Given a written exercise, identify the role of law enforcement personnel at the scene of a disaster.
- B. Given a written exercise, identify the functions of the patrol officer/first responder as part of the Incident Command System.

Criteria: The trainee shall be tested on the following:

- 4.38.1. Identify and explain the Code section enabling local counties, cities, and towns to establish local ordinances that deal with disaster
- 4.38.2. Define what generally constitutes a disaster
- 4.38.3. Identify factors related to handling disasters (air crashes, etc.) and various rescue operations involving the military
- 4.38.4. Define the Incident Command System (ICS)
 - 4.38.4.1. Identify the components of ICS
 - 4.38.4.2. Identify the structure of ICS
 - 4.38.4.3. Identify the purpose of unified command under ICS
 - 4.38.4.4. Identify the role of the first responding patrol officer under ICS
 - 4.38.4.5. Identify communications protocol under ICS
 - 4.38.4.6. Identify the transfer of command by the first responding patrol officer under ICS
- 4.38.5. Explain the purpose of the National Incident Command System (NIMS)
 - 4.38.5.1. Identify the Executive Order of the Governor requiring NIMS in Virginia
 - 4.38.5.2. Identify the presidential directive related to NIMS

- 1. Identify and explain the Code section enabling local counties, cities, and towns to establish local ordinances that deal with disaster. (§ 15.2 and § 44-146.19)
- 2. Define what generally constitutes a disaster
- 3. Identify factors related to handling disasters (air crashes, etc.) and various rescue operations involving the military.
- 4. Define the Incident Command System (ICS)
 - a. Identify the components of ICS
 - b. Identify the structure of ICS
 - c. Identify the purpose of unified command under ICS
 - d. Identify the role of the first responding patrol officer under ICS
 - e. Identify communications protocol under ICS
 - f. Identify the transfer of command by the first responding patrol officer under ICS
- 5. Explain the purpose of the National Incident Command System (NIMS)
 - a. Identify the Executive Order of the Governor requiring NIMS in Virginia.
 - b. Identify the presidential directive related to NIMS
- 6. Identify legal reference that permits retired law enforcement officers in good standing to carry a weapon concealed.

Instructor Note: Advise trainees that they will identify components of department emergency response plan for disasters as part of their department training.

Special Note: Completion of the four-hour training Incident Command System – Awareness Level will accomplish the goals of number 4 and 5 of this lesson plan guide and prepare the trainee to be tested on it.

Performance Outcome 4. 46.

Respond to and conduct preliminary or follow-up investigation of Driving Under the Influence -- Intoxicants/ Drugs.

Training Objectives Related to 4. 46.

- A. Given a written exercise, identify the elements of Driving Under the Influence (DUI) related statutes of the <u>Code of Virginia</u> and the procedures for obtaining a blood test.
- B. Given a practical exercise, conduct investigation of events related to Driving Under the Influence intoxicants/drugs.

Criteria: The trainee shall be tested on the following:

- 4.46.1. Definition of Driving Under the Influence (intoxicants/drugs) and elements of the crimes with Code citations
- 4.46.2. Observation of operator behavior to evaluate capability to operate vehicle safely
- 4.46.3. Communication with dispatch
- 4.46.4. Initiation of traffic stop
- 4.46.5. Initial contact and observation for signs of impairment
- 4.46.6. Conduct field sobriety test
 - a. If driver agrees, administer preliminary breath test
 - b. If driver disagrees, evaluate for probable cause for a Driving Under the Influence arrest, if probable cause exists then arrest and advise of implied consent rights
 - c. If probable cause exists for a DUI arrest and the driver has been taken to a medical facility for treatment or evaluation of his medical condition, the arresting officer may issue a summons for the violation while on the premises of the medical facility.
- 4.46.7. If unable to obtain breath sample and driver agrees, follow these procedures for obtaining a blood sample:
 - a. take to hospital or lab
 - b. have blood sample taken by certified medical personnel to include technician or nurse designated by the Circuit Court
 - c. blood vials to be packaged, handled and submitted in accordance with the Division of Forensic Science "Breath Alcohol Rules and Regulations."
 - 4.46.7.1. If breath test administered indicates an alcohol level of .08 or greater, complete documentation for administrative license suspension.

- 4.46.7.2. If breath test administered indicates an alcohol level of .02 or greater on a restricted license, charge the person with driving after forfeiture or DUI conviction. (§18.2-267)
- 4.46.8. If driver has been arrested and refuses the breath or blood test
 - a. Advise of implied consent rights
 - b. Arresting officer shall advise DUI arrestee from a form provided by the Office of the Executive Secretary of the Supreme Court and that the arresting officer shall acknowledge on such form that he has read the form to the arrestee.
 - c. Complete documentation for administrative license suspension.
 - d. Take the arrestee to the magistrate and obtain warrant. Give the magistrate the executed advisement form to attach to the warrant or summons.
 - e. If the driver has been taken to a medical facility for treatment or evaluation of his medical condition and refuses a blood or breath test, the arresting officer may issue a summons for the violation while on the premises of the medical facility.
- 4.46.9. Prepare field notes for prosecution for Driving Under the Influence (DUID) case and submit a copy to the forensic laboratory.

- 1. Definition of DWI (intoxicants/drugs) and elements of the crimes with Code citations § 18.2-271, § 18.2-266, § 18.2-267, § 18.2-268, § 46.2-301, § 46.2-390, § 46.2-391, CMV 46.2-341
- 2. Observation of operator behavior to evaluate capability to operate vehicle safely
 - a. Swerving for no apparent reason
 - b. Head nodding to possibly indicate sleepiness
 - c. Approaching other cars too closely
 - d. Running off road on to shoulder of road
 - e. Driving too slowly
 - f. Others as may be identified
- 3. Communication with dispatch
- 4. Initiation of traffic stop
- 5. Initial contact and observation for signs of impairment
- 6. Identify methods for preliminary breath testing of blood alcohol content and procedures to follow for each method for accurate results
- 7. Conduct field sobriety test
 - a. If driver agrees, administer preliminary breath test to test blood alcohol content
 - b. If driver disagrees, evaluate for probable cause for a Driving Under the Influence arrest, if probable cause exists then arrest and advise of implied consent rights
 - c. If probable cause exists for a DUI arrest and the driver has been taken to a medical facility for treatment or evaluation of his medical condition, the arresting officer may issue a summons for the violation while on the premises of the medical facility.
- 8. If driver disagrees, evaluate for probable cause for a DUI arrest, if probable cause exists then arrest and advise of implied consent rights
- 9. If unable to obtain breath sample and driver agrees, follow these procedures for obtaining a blood sample:
 - a. Take to hospital or lab
 - b. Have blood sample taken by certified medical personnel to include technician or nurse designated by the Circuit Court.
 - c. Blood vials to be packaged, handled and submitted in accordance with the Division of Forensic Science "Breath Alcohol Rules and Regulations"
 - d. If breath test administered indicates an alcohol level of .08 or greater, complete documentation for administrative license suspension. If breath test administered indicates an alcohol level of .02 or greater on a restricted license, charge the person with driving after forfeiture or DUI conviction. (§18.2-267)
- 10. If driver has been arrested and refuses the breath or blood test
 - a. Advise of implied consent rights
 - b. Arresting officer shall advise DUI arrestee from a form provided by the Office of the Executive Secretary of the Supreme Court and that the arresting officer shall acknowledge on such form that he has read the form to the arrestee.
 - c. Complete documentation for administrative license suspension.
 - d. Take the arrestee to the magistrate and obtain warrant. Give the magistrate the executed advisement form to attach to the warrant or summons.

- e. If the driver has been taken to a medical facility for treatment or evaluation of his medical condition and refuses to take a blood or breath test, the arresting officer may issue a summons for the violation while on the premises of the medical facility.
- 11. Prepare field notes for prosecution (for DUID case submit a copy to the forensic laboratory)
 - a. Precise reason for stop
 - b. Weather and road conditions
 - c. Suspect's physical appearance and demeanor
 - d. Suspect's performance of field sobriety test (if done)
 - e. Exact times of all pertinent events (stop, arrest, test)

Performance Outcome 4. 28.

Guard an arrested suspect.

Training Objective Related to 4. 28.

A. Given a written or practical exercise, identify safety and security considerations and techniques related to guarding an arrested subject.

Criteria: The trainee shall be tested on the following:

- 4.28.1. Officer and arrestee safety
 - 4.28.1.1. Officer safety precautions
 - a. Secure weapons
 - b. Do not relax after cuffing
 - c. Be aware of others not under arrest who may attempt to assist arrestee
 - 4.28.1.2. Arrestee safety precautions
 - a. Possible injuries during arrest
 - b. Possible attempts by others to injure the arrestee
- 4.28.2. Techniques related to guarding an arrested subject
 - a. Handcuff arrestee/prisoner with hands to rear
 - b. Search waistband and pockets for weapons
 - c. Walk behind the arrestee with weapon side away
 - d. Allow reaction space if possible
 - e. Observe arrestee at all times
 - f. Use additional restraints or flex cuffs if needed and according to department policy
 - g. Make contact with arm of an arrestee if needed
 - h. Be aware of surroundings and other persons
 - i. Move arrested subject(s) to a safe location for his/her physical safety.

- 1. Officer and arrestee safety
 - a. Officer safety precautions
 - (1). secure weapons
 - (2). Do not relax after cuffing
 - (3). Be aware of others not under arrest who may attempt to assist arrestee
 - b. Arrestee safety precautions
 - (1). Possible injuries during arrest
 - (2). Possible attempts by others to injure the arrestee

2. Techniques

- (1). Handcuff arrestee/prisoner with hands to rear
- (2). Search waistband and pockets for weapons
- (3). Walk behind the arrestee with weapon side away
- (4). Allow reaction space if possible
- (5). Observe arrestee at all times
- (6). Use additional restraints or flex cuffs if needed and according to department policy
- (7). Make contact with arm of an arrestee if needed
- (8). Be aware of surroundings and other persons
- (9). Move arrested subject(s) to a safe location for his/her physical safety.

Performance Outcome 6. 17.

Handcuff suspect(s) or arrestees and apply leg restraints to arrestee(s).

Training Objectives Related to 6.17.

A. Given a written and practical exercise, identify and demonstrate the techniques of handcuffing suspect(s) or arrestee(s) and applying leg restraints to arrestee(s).

Criteria: The trainee shall be tested on the following:

- 6.17.1. Safe and effective handcuffing of cooperative single and multiple suspect(s)
- 6.17.2. Safe and effective handcuffing of a suspect in the following positions:
 - a. Standing
 - b. Kneeling
 - c. Prone
- 6.17.3. Safe and effective handcuffing of a suspect after having performed a learned control/take down technique in standing, kneeling, and prone positions
- 6.17.4. Application of leg irons and "flex cuffs" or other devices that restrain legs or torso avoiding force levels and methods that present unnecessary injury potential to the officer and subject
- 6.17.5. Definition of positional asphyxia
 - a. Identify primary medical dangers associated with sudden restraint of violent person
 - b. Primary medical dangers associated with "hog-tying" a person (positional asphyxia)
 - c. Identify liability

- 1. Safe and effective handcuffing of cooperative single and multiple suspect(s)
 - a. Hands to be cuffed behind the back unless a medical reason prohibits.
- 2. Safe and effective handcuffing of a suspect in the following positions:
 - a. Standing
 - b. Kneeling
 - c. Prone
- 3. Safe and effective handcuffing of a suspect after having performed a learned control/take down technique in standing, kneeling, and prone positions
- 4. Application of any combination of hand, waist, or leg restraints using force levels and methods that avoid unnecessary injury potential to the officer and subject.
- 5. Definition of positional asphyxia
 - a. Identify primary medical dangers associated with sudden restraint of violent person
 - b. Primary medical dangers associated with "hog-tying" a person (positional asphyxia)
 - c. Identify liability

Instructor Note: Advise trainees that they must identify department policy related to the use of force, physical restraints, and weapons use as part of department training.